IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

WP(C).No. 5894 of 2007(B)

PETITIONER:

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1. DARLY ANTONY, JUNIOR SUPERINTENDENT,
   ALATHOOR GRAMA PANCHAYT, PALAKKAD DISTRICT.

2. K.JAYAKANTHAN, JUNIOR SUPERINTENDENT,
   KOLLAMKODE GRAMA PANCHAYT, PALAKKAD DISTRICT.

BY ADV. SRI.A.BALAGOPALAN
SRI.M.N.MANMADAN

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY
   SECRETARY TO GOVERNMENT, LOCAL SELF GOVERNMENT
   DEPARTMENT, GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM.

2. DIRECTOR OF PANCHAYAT,
   THIRUVANANTHAPURAM.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO.5894 of 2007

Dated this the 21st day of February, 2007

JUDGMENT

The petitioners are working as Junior Superintendents in the Local Self Government Department. It is stated that they have passed the Tamil minority language test conducted by the Kerala Public Service Commission and are to be preferred for appointment by promotion to higher categories in such Panchayats where the majority of the local people speak Tamil. The claim is made based on Rule 9(d) of the Kerala Subordinate Service Rules. It is contended that one K.M.Shaji has been favoured with an order promoting him to the post of Special Grade Secretary from the post of Junior Superintendents under Rule 9(d) of the aforesaid rules. The petitioners have filed Exts.P5 and P7 applications before the second respondent requesting to consider their cases also for promotion under the above rule.

2. Counsel for the petitioners submits that this Court may direct the second respondent to take early decision on Exts.P5 and P7.

3. Heard the Government Pleader for the respondents.

4. In the circumstances, the writ petition is disposed of directing the second respondent to consider Exts.P5 and P7 on merits and take appropriate decision within six weeks from the date of receipt of a copy of the judgment. The order thus passed shall be communicated to the petitioners immediately. The petitioners shall produce a copy of the judgment and a copy of the writ petition before the second respondent for information and compliance.

K.K.DENESAN, JUDGE

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